

Remarks

Claims 1, 2, 5, 7-15, 17-25, 27, 28, 30-39, 42-50, 80, 81, 83-89 and 91-95 are pending and at issue in the present application, claims 3, 4, 6, 16, 26, 29, 40, 41, 82 and 90 having been cancelled by this amendment and claims 51-79 and 96-100 having been withdrawn from further consideration by the examiner. The examiner is requested to hold the non-elected claims in abeyance pending the filing of one or more divisional applications.

Applicants traverse the rejections of the claims at issue as anticipated by or obvious over Thompson, Vargo, Alston et al., Shigeru, Coggins, and Brassington et al.

Applicants further traverse the rejection of the claims at issue as indefinite and further traverse the rejection of claim 1 as incomplete. The claims have been amended to omit the term "cut-resistant" to address the issues raised by the examiner.

Claim 1, as amended, and claims 2, 5 and 7-13 dependent thereon, specify a single use processing substrate comprising a continuous liquid permeable thermoplastic film layer having holes disposed therein. The substrate further includes a liquid impervious barrier disposed opposite the film layer and a liquid absorbent portion disposed adjacent the film layer, wherein substantially no portion of the film adjacent the holes therein extends into the liquid absorbent portion.

Claim 14, as amended, and claims 15 and 17-24 dependent thereon, recite a single use processing substrate comprising a top surface having a continuous thermoplastic film having holes disposed therein. The substrate further includes a liquid absorbent portion disposed adjacent the top surface, wherein substantially no portion of the top surface adjacent the holes of the thermoplastic film extends into the liquid absorbent portion, and a liquid impervious barrier surface opposite the top surface.

Claim 25, as amended, and claims 27, 28 and 30-38 dependent thereon, specify a disposable processing substrate comprising a first material of thermoplastic resin having a continuous liquid-permeable surface with a plurality of holes disposed therein. The substrate further includes a second material disposed adjacent the first material and having a liquid-absorbent portion, wherein substantially no portion of the material adjacent the holes of the first material extends into the second material, and a third material disposed adjacent the second material having a liquid-impermeable portion.

Claim 39, as amended, and claims 42-50 dependent thereon, recite a single-use processing substrate comprising first means for providing a liquid-permeable surface

comprising a layer of thermoplastic resin having holes disposed therein. The substrate further includes second means disposed adjacent the first means and having a liquid-absorbent portion, wherein substantially no portion of the first means adjacent the holes of the thermoplastic material extends into the second means. Still further, the substrate includes third means disposed adjacent the second means and providing a liquid-impermeable portion.

Claim 80, as amended, and claims 81 and 83-87 dependent thereon, specify a processing substrate comprising a first material of thermoplastic resin having a liquid-permeable surface comprising a sheet of continuous film having holes disposed therein. The substrate further includes a second material disposed adjacent the first material and having a liquid-absorbent portion, wherein substantially no portion of the material adjacent the holes of the thermoplastic material extends into the second material, and a third material disposed adjacent the second material having a liquid-impermeable surface.

Claim 88, as amended, and claims 89 and 91-95 dependent thereon, recite a cutting surface comprising a first layer having a liquid-permeable surface comprising a continuous film having holes disposed therein. The surface further includes a second layer disposed adjacent the first layer and having a liquid-absorbent portion, wherein substantially no portion of the material adjacent the holes of the thermoplastic material extends into the second material. Still further, the surface includes a third layer disposed adjacent the second layer having a liquid-impermeable surface.

As an initial matter, applicants contend that it is not appropriate to combine Coggins and Brassington et al. to reject the claims herein because Brassington et al. is non-analogous art. A person of ordinary skill in the art would not have looked to the teachings of Brassington et al. to modify Coggins because Coggins relates to the field of disposable sheets for processing of food thereon and Brassington et al. relates to the field of wound dressings. The dressings disclosed in Brassington et al. are for use as applied to the skin of a patient, and have nothing whatsoever to do with cutting or processing of items thereon. Therefore, applicants contend that it is improper to combine the teachings of Brassington et al. with Coggins in order to reject the claims of the present application.

Further, none of the cited references, alone or in combination, discloses or suggests a processing substrate having a three component structure including a continuous film layer or a surface, or a material having holes therein and a liquid absorbent portion, wherein substantially no portion of the film layer, surface, or material adjacent the holes extends into

the liquid absorbent portion or into material having the liquid absorbent portion. These recitations are included in all of the claims at issue in one fashion or another.

In fact, Thompson discloses an absorptive structure including a topsheet of liquid impervious material, an absorbent pad, and a liquid impervious backsheet. The topsheet includes tapered capillaries having a base in the plane of the topsheet and an apex remote from the plane of the topsheet and in contact with the absorbent pad. Therefore, contrary to the present invention as recited by the claims at issue, Thompson discloses a structure wherein walls forming the capillaries extend into the absorbent pad.

Vargo discloses a disposable floor mat having a top layer of a porous, relatively rigid and substantially incompressible material having ridges and grooves. The mat further includes two intermediate absorbent layers and a substantially liquid impervious bottom layer. As with Thompson, and unlike the present invention as claimed, Vargo discloses a structure whereby walls of a top layer extend into an absorbent layer.

Alston et al. discloses a fluid absorbing system including a grid of inverted, semi-conical projections or fingers, a fluid absorbing mat disposed below the projections, and openings at a point where the projections meet the absorbing mat. The openings allow fluids to drain from the projections into the fluid absorbing mat. As should be evident, Alston et al. suffers from the same deficiencies as Thompson and Vargo.

Shigeru discloses a paper cutting board. The cutting board includes a top layer of paper having a coating of water resistance treatment thereon, an absorbent middle layer, and a bottom layer made of a soft material such as vinyl material or polypropylene. Shigeru does not disclose or suggest the use of thermoplastic or a film for the top layer, as recited by the claims at issue.

Coggins discloses a disposable sheet used in food service applications to prevent contamination and eliminate time consuming clean-ups. The sheet includes a discontinuous porous layer for allowing materials to pass therethrough, an absorbent layer for holding the materials therein, and a barrier layer for protecting the surface on which the sheet is used. Coggins does not disclose the use of a continuous top surface or layer.

Brassington et al. discloses a wound dressing having a layer of apertured material, such as a cotton gauze, coated with either a tacky silicone gel or a non-tacky silicone gel. Optionally, the apertured material may have one surface thereof coated with a tacky silicone gel and another opposite surface coated with a non-tacky silicone gel. Brassington et al. does

not disclose a layered structure, but instead, discloses an apertured material encapsulated (i.e., surrounded) by a coating.

Because the prior art does not disclose each of the elements recited by the claims at issue, it follows that such claims are not anticipated thereby.

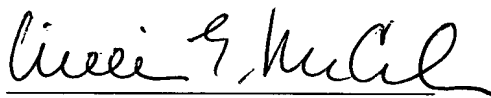
Further, because none of the prior art discloses or suggests that it would be desirable or even possible to provide a three component structure including a continuous film layer, surface, or material having holes therein and a liquid absorbent portion wherein substantially no portion of the film layer, surface, or material extends into a liquid absorbent portion or a material having the liquid absorbent portion as specified by the claims at issue, it is evident that the claims, as amended, are not obvious thereover. The prior art must disclose at least a suggestion of an incentive for the claimed combination of elements in order for a *prima facie* case of obviousness to be established. See *In re Sernaker*, 217 U.S.P.Q. 1 (Fed. Cir. 1983) and *Ex Parte Clapp*, 227 U.S.P.Q. 972, 973 (Bd. Pat. App. 1985). Accordingly, the obviousness rejections should be withdrawn.

The claims have been amended to further define the subject matter for which protection is sought and not to narrow the claimed subject matter. The amended claims do not present new matter.

An early and favorable action on the merits is respectfully requested.

Respectfully submitted,

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